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Attorney for West Asset Management, Inc.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION

VIRGINIA CORSICK,)	Case No. 09-CV-03053 JF
)	
Plaintiff,)	STIPULATION FOR FURTHER
)	CONTINUANCE OF MEDIATION
vs.)	COMPLETION DEADLINE AND
)	[PROPOSED] ORDER
WEST ASSET MANAGEMENT, INC.,)	
)	
Defendant.)	
)	

The undersigned, counsel of record for Plaintiff Virginia Corsick and Defendant West Asset Management, Inc., hereby jointly request a continuance, through March 12, 2010, to complete the mediation of this matter. This stipulation is based on the

following:

1. On October 22, 2009, the Hon. Jeremy Fogel issued an order for the parties to attend mediation through the ADR Unit. The mediation completion deadline is January 20, 2010.

2. On November 5, 2009, Carol L. Woodward was appointed mediator.

3. On January 8, 2010, Ms. Woodward and counsel for the parties participated in a pre-mediation telephone conference. At that time, the mediation was scheduled for February 3, 2010.

4. On January 21, 2010 the Court approved the parties' stipulation to continue the mediation completion deadline to February 5, 2010 to accommodate the scheduled mediation date.

5. The settlement structure the parties contemplated at the time of the January 8, 2010 pre-mediation telephone conf. with Ms. Woodward has had to be changed completely based on further investigation of the scope of the putative class.

6. The parties are presently working on a new class settlement structure. Further work needs to be done in order for the parties to present their respective positions regarding settlement at the time of the mediation. The parties will not be ready to mediate a class settlement by the currently scheduled February 3, 2010, mediation date and are presently coordinating a new date with the mediator. The proposed new date is March 9, 2010.

1 7. Both parties wish to avoid incurring the costs associated with the
2 mediation, including travel by West's representative from Nebraska and travel by West's
3 lead counsel from Louisiana, until they are in a position to finalize the settlement at the
4 time of the mediation.
5

6 Based on the foregoing, the parties stipulate that the mediation completion
7 deadline be continued to March 12, 2010.
8

9 Dated: 1/28/10

Horwitz, Horwitz & Associates

10 /s/ O. Randolph Bragg

11 O. Randolph Bragg
12 Attorney for Plaintiff

13 Dated: 1/28/10

SESSIONS, FISHMAN, NATHAN & ISRAEL, L.L.P.

14 /s/ Debbie P. Kirkpatrick

15 Debbie P. Kirkpatrick
16 Attorney for Defendant

17 [PROPOSED] ORDER

18 The mediation completion deadline is hereby continued to March 12, 2010.

19 IT IS SO ORDERED.

20
21 Dated:

1-29-10

22 Hon. Jeremy Fogel
23 United States District Judge
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